

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
MONTGOMERY DIVISION

CINTAS CORPORATION,)	
)	
Petitioner,)	
)	
)	
vs.)	Civil Action No. 2:06-CV-00227-DRB
)	
RANDALL M. CORNELIUS, et al.)	
)	
Respondents.)	
)	

NOTICE OF MOTION AND MOTION TO STAY ALL
PROCEEDINGS PENDING ACTION BY THE
JUDICIAL PANEL ON MULTI-DISTRICT LITIGATION

TO: ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that respondents hereby move the Court to stay all proceedings in this case until the Judicial Panel for Multi-district Litigation determines whether it should be transferred and consolidated with other identical petition actions filed by Cintas Corporation (“Cintas”) in 70 different district courts. In further support of their motion, respondents rely on their accompanying Memorandum of Points and Authorities and further state:

1. This case is one of 70 identical petitions seeking to compel

respondents to arbitrate in venues near where they work or last worked for Cintas, notwithstanding an arbitration between the parties here on the identical issues has already commenced before the American Arbitration Association in San Francisco, California.

2. On March 30, 2006, respondents moved the Judicial Panel on Multidistrict Litigation (“MDL”) under 28 U.S.C. §1407 to transfer this and all other Cintas’ petitions to a single district court for consolidated pretrial proceedings.

3. To promote the goals of efficiency, justice and judicial economy served by the MDL process, the respondents request that this action be stayed pending the MDL’s decision on transfer. An overwhelming majority of district courts stay proceedings while a motion to transfer under 28 U.S.C. §1407 is pending. A stay will unquestionably conserve judicial resources, prevent assuredly inconsistent adjudications and pretrial rulings, and will avoid prejudice to respondents while not prejudicing Cintas.

4. This motion is based upon this Notice of Motion, the concurrently filed Memorandum of Points and Authorities, the Supporting Declaration of Steven W. Pepich, the complete file in this case, and on such arguments and evidence as may be presented before this Court.

Respectfully submitted this 25th day of April, 2006.

/s/ Henry Brewster

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document on all counsel of record by placing a copy of same in the U.S. mail, postage prepaid and properly addressed on this the 25th day of April, 2006.

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